

Application Serial No: 10/532,888
Responsive to the Office Action mailed: June 25, 2008

REMARKS

This Amendment is in response to the Office Action mailed June 25, 2008. Claim 1 is amended editorially and is supported, for example, in Figures 1A, 1B, 2, 3 and 8. No new matter is added. Claims 1, 3 and 5-11 are pending.

§102 Rejections:

Claims 1 and 11 are rejected as being anticipated by Law (US Patent No. 6,164,446). This rejection is traversed.

Claim 1 is directed to a case for holding a substantially rectangular cartridge that requires, among other features, a release member and a one latching member that are provided at any one of two corners defined by the pair of side faces and the rear surface of the cartridge in a state in which the cartridge has been installed.

Law does not disclose or suggest these features. The data disc box of Law is configured to hold an annular disc, as opposed to a substantially rectangular cartridge, as required by claim 1 (see Figure 1 of Law). A data disc box that is configured to hold an annular disc is substantially different from a case configured to hold a substantially rectangular cartridge, as the requirements for a data disc box to hold an annular disc does not contemplate the inclusion of a pair of side faces and a rear surface on an annular disc. Accordingly, Law cannot disclose a release member and a latching member that are configured at any one of two corners defined by a pair of side faces and a rear surface of the substantially rectangular cartridge.

§103 Rejections:

Claims 3, 7 and 11 are rejected as being unpatentable over Law in view of Chiu (US Patent Publication No. 20002/0100701). This rejection is traversed. Claims 3, 7 and 11 depend from claim 1 and should be allowed for at least the same reasons described above. Moreover, the data disc box cannot be modified with the features of Chiu to teach the features of claim 3. Claim 3 requires that the release member is provided at the bottom panel so as to lift up the lower half of the cartridge in order to release the latching of the cartridge with said one latching member. The rejection asserts that it would be obvious to modify the tab (74) to be disposed at the bottom panel so as to lift up the

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lower face of the article to facilitate releasing the article. However, the hook (70) and the tab (74) are positioned along the line (IV-IV) with the tab (74) positioned outside the hook (70) (see Figure 1 of Law). Accordingly, it is only possible to latch the disc (200) with the hook (70), as it is not possible to have the disc (200) interposed between the hook (70) and the tab (74). Further, even if the disc 200 is replaced with a substantially rectangular disc, only the hook (70) can be positioned at a bottom panel to lift the rectangular disc as the tab (74) is positioned to the outside of the disc. For at least these reasons claim 3 should be allowed. Applicants do not concede the rejection as it relates to claims 7 and 11.

Claims 5 and 6 are rejected as being unpatentable over Law in view of Deja (US Patent No. 5,526,926). This rejection is traversed. Claims 5 and 6 depend from claim 1 and should be allowed for at least the same reasons described above. Applicant does not concede the correctness of this rejection.

Conclusion:

Applicant respectfully asserts that claims 1, 3 and 5-11 are in condition for allowance. If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicant's primary attorney-of record, Douglas P. Mueller (Reg. No. 30,300), at (612) 455-3804.



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Respectfully submitted,

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